



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GERALD C. MANN
ATTORNEY GENERAL

Honorable Temple Shell
County Attorney
Wichita County
Wichita Falls, Texas

Dear Sir:

Opinion No. 0-4113
Re: Is the salary of the official
court reporters in question
governed by Article 2326b or
Article 2326c, or Article
2327a, Vernon's Annotated
Civil Statutes?

Your letter of November 18, 1941 requesting an
opinion of this Department on the above stated question
reads in part as follows:

"Wichita County composes the 78th
Judicial District; Wichita County also
composes the 89th Judicial District; and
Wichita County also composes a portion
of the 30th Judicial District.

"For the past few years the report-
ers of the 78th and the 89th District
Courts have received a salary of \$2400.
per year, paid out of the jury fund,
under the provisions of Art. 2326c, V.
A.C.S.

"Please advise me whether the
amount of salary of these reporters is
governed by Art. 2326b, or Art. 2326c,
or Art. 2327a?

"I am unable to find any author-
ities on this question, but do refer
you to your opinion #0-1608 of November
10th, 1939 and #0-2043 of March 18th,
1940."

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The 78th and the 89th Judicial Districts are each districts, composed only of Wichita County, but said county composes also a portion of another judicial district, namely, the 30th Judicial District which includes Wichita, Archer, and Young counties.

Article 2326b was enacted by the 41st Legislature, Regular Session, 1929, page 112, chapter 56, section 1. Article 2326c was enacted by the 43rd Legislature, 1933, page 495, chapter 195. Article 2327a was enacted by the 41st Legislature, Second Called Session, 1929, page 97, chapter 59, section 1, and was amended by the 45th Legislature, 1937, page 576, chapter 286, section 1.

After carefully considering the three above mentioned statutes in connection with the facts set forth in your letter, we are of the opinion that Article 2327a, V.A.C.S. is applicable to, and governs the salaries of the official court reporters in question.

Therefore, it is our opinion that the official shorthand reporter for each of the three above named district courts is entitled to the salary of \$2700 per annum, each, in addition to the compensation for transcript fees and allowances for expenses now provided by law.

Our opinion number 0-3955 supports the conclusion stated above and we enclose a copy of this opinion for your information.

Trusting that the foregoing fully answers your inquiry, we are

Yours very truly

APPROVED DEC 2, 1941

ATTORNEY GENERAL OF TEXAS

FIRST ASSISTANT
ATTORNEY GENERAL

BY *Ardell Williams*
Ardell Williams
Assistant

AW:ff
Encl.

